

**Notice of Allowability**

Application No.

10/040,474

Examiner

Alicia Baturay

Applicant(s)

YASHCHIN ET AL.

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 4 August 2006.
2. ☒ The allowed claim(s) is/are 1,5-8,12-15,18 and 19 renumbered as 1-11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☒ Other \_\_\_\_\_

  
**SALEH NAJJAR**  
**SUPERVISORY PATENT EXAMINER**

*Allowance*

1. Claims 2-4, 9-11, 16 and 17 are cancelled.
2. Claims 1, 5-8, 12-15, 18 and 19 are allowed.

*Examiner's Amendment*

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

4. Authorization for this examiner's amendment was given in a telephone interview with Clyde Christofferson (Reg. # 34,138) on 10 October 2006.

5. The application has been amended as follows:

In the Specification: Page 7, line 15 has been amended.

...message belongs, 311 or 312. Module ~~306~~ 360 represents a question mark that may...

In the Claims: Claims 1 and 8 have been amended.

**Claim 1 (Currently Amended)** A messaging system comprising: an interactive system for the production and interchange of messages by users over a network; a time synchronizer for time stamping messages; an automated topic separator receiving user messages and separating messages according to different topics, wherein the automated topic separator includes a language-model topic classifier that estimates a topic of the user messages ~~and/or~~ or parts of the user messages based, at least in part, on their respective word content, and a final topic separator which separates messages or parts of messages based on a ~~spacing~~ difference between their respective estimated topics and the difference between their respective time stampings, such that messages ~~and~~ or parts of messages are separated into different topics when said ~~spacing~~ difference between their estimated topics exceeds a threshold, the threshold being based, at least in part, on the difference between their respective time stampings, and wherein the threshold, at least in part, is made smaller as said time difference increases; a user interface, coupled to said topic separator, for representing in a distinct way parts of messages that were separated by said topic separator, wherein said user interface displays at least one of said messages in windows according to topic, and messages in different colors according to topic, and wherein the user interface enables a subgroup of users to conduct a messaging session separate from other users, within a framework of an ongoing session or topic.

**Claim 8 (Currently Amended)**

Line 8 “a topic” has been replaced with – **the topic** –.

*Reasons for Allowance*

6. The following is an examiner's statement of reasons for allowance: Claims 1, 5-8, 12-15, 18 and 19 are allowable over the prior art of record.

The examiner has found that the prior art of record does not teach, suggest, or render obvious the specific combination of a system or a method of conducting a messaging session at a user's computer between two or more users over a network comprising the steps of: a final topic separator which separates messages or parts of messages based on a difference between their respective estimated topics and the difference between their respective time stampings, such that messages or parts of messages are separated into different topics when said difference between their estimated topics exceeds a threshold, the threshold being based, at least in part, on the difference between their respective time stampings, and wherein the threshold, at least in part, is made smaller as said time difference increases (major difference in the claims not found in the prior art) in order to provide a new means to monitor and detect new message topics between two or more users engaged in an on-line messaging communication with new topic messages presented in an orderly fashion whereby replies are coordinated and presented by topic and by user as set forth in the specification and recited in independent claims 1 and 8.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance OR Examiner's Amendment."

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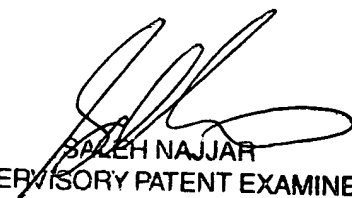
*Conclusion*

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alicia Baturay whose telephone number is (571) 272-3981. The examiner can normally be reached at 7:30am - 5pm, Monday - Thursday, and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Alicia Baturay  
October 10, 2006

  
SALEH NAJJAR  
SUPERVISORY PATENT EXAMINER